

Appl. No. 10/687,845
Docket No. CM2526C
Amdt. dated May 16, 2007
Reply to Office Action mailed on February 21, 2007
Customer No. 27752

REMARKS

Claim Status

Claims 10-20 are pending in the present application. No additional claims fee is believed to be due.

Claims 14 and 16 are amended to remove the word "derivatives" as related to cyclohexyl and cyclohexanol.

Claim 20 was not formally rejected in the previous Office Action.

Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 14 and 16 were rejected under 35 U.S.C. § 112, Second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. As suggested by the Examiner, the word "derivative" is removed from Claims 14 and 16. The Applicants respectfully request that Claims 14 and 16 be allowed.

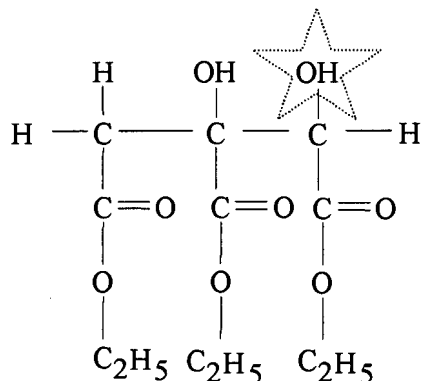
Rejection Under 35 U.S.C. § 103(a) Over Williams (US 6,506,958) in View of Hasegawa et al. (US 5,364,626)

Claims 10-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Williams (US 6,506,958) in view of Hasegawa et al. (US 5,364,626). The Applicants respectfully assert that the Office Action fails to establish a *prima facie* case of obviousness against Claim 10 because the references, as cited, when combined, do not teach or suggest each element of Claim 10 of the present application. The Applicants reassert that the Office Action has not shown that Williams in view of Hasegawa teaches or suggests esters as claimed in Claim 10 of the present application.

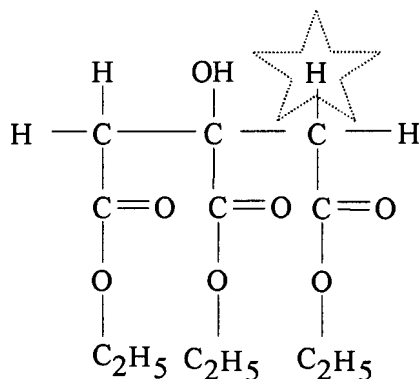
The Office Action states, in the Response to Arguments Section, on Page 6, that "when $x=2$ and $y=0$ and $R_4=OH$ and $R_3=R_5=R_6=H$ and $R_1=R_2=alkyl$ groups of 2 carbons, (C_2H_5) , the triethyl ester of citric acid is produced", which is taught in Hasegawa as triethylcitrate. The Applicants submit that the formula, as stated in the Office Action, is not triethyl ester of citric acid (triethylcitrate) as taught in Hasegawa.

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A drawing of the formula proposed in the Office Action, Page 6, Lines 17-21, is:



A drawing of the formula of Triethylcitrate is (see <http://www.chemicalland21.com/specialtychem/perchem/TRIETHYL%20CITRATE.htm>, accessed May 10, 2007):



The difference between the formula proposed in the Office Action and Triethylcitrate is highlighted by a star. In light of the difference between the formula proposed in the Office Action as being within the scope of Claim 10 and the formula for triethylcitrate taught in Hasegawa, the Office Action has not shown that Williams in view of Hasegawa teaches or suggests an ester derivative having the formula set forth in Claim 10. The Applicants respectfully request that Claim 10 be allowed.

Claims 11-18 depend upon Claim 10. Because Claims 11-18 depend upon Claim 10, the Applicants submit that Claims 11-18 are also allowable. The Applicants respectfully request that Claims 11-18 be allowed.

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Double Patenting Rejections

Applicants agree to submit all necessary terminal disclaimers related to US 6,972,010, US Application No. 11/106,402, and US Application No. 10/687,897, upon indication of allowable subject matter.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendment presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 
Signature

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Date: May 16, 2007
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